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# **COUNCIL OF EUROPE**

  

# **SPACE II**

(COUNCIL OF EUROPE ANNUAL PENAL STATISTICS)

## **COMMUNITY SANCTIONS AND MEASURES (CSM) ORDERED IN 2001**

prepared by

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## SPACE II – COMMUNITY SANCTIONS AND MEASURES (CSM) ORDERED IN 2001

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The present version of SPACE II concerns community sanctions and measures (CSMs) ordered in 2001. SPACE II covers only those measures and sanctions applied in the community, as defined by the Council of Europe. According to Recommendation No. R (92) 16, CSMs are to be understood as "sanctions and measures which maintain the offender in the community and involve some restriction of his/her liberty through the imposition of conditions and/or obligations, and which are implemented by bodies designated in law for that purpose." The term, furthermore, "designates any sanction imposed by a court or a judge, and any measure taken before or instead of a decision or a sanction as well as ways of enforcing a sentence of imprisonment outside a prison establishment".

Arrangements for their implementation must entail some form of assistance and supervision in the community (fines or suspended sentences without supervision are therefore not CSMs). SPACE II is not designed to cover all CSMs. It does not cover the sanctions and measures provided for in juvenile criminal law. It only concerns measures taken subsequent to the passing of a sentence. In some countries the prosecuting authorities can choose to impose certain measures which are "taken before or instead of a decision on a sanction". Such measures are not covered by SPACE II.

### Specific comments

- The CSMs must have been ordered as principal and not supplementary penalties.
- SPACE II concerns statistics for the CSMs ordered in year n, irrespective of the date of enforcement (year n, subsequent year or not enforced at all).
- SPACE II does not cover measures taken in favour of a prisoner prior to release from a penal institution (semi-liberty for example, unless such measures were ordered *ab initio*).
- SPACE II does not cover post-prison supervisory, support or probation measures applied to offenders in the community once they have served their sentence.

### Sanctions and measures registered

1. Conditional deferral of a sentence: postponement of the passing of a sentence for a given period in order to assess the convicted person's conduct over that period.
2. Treatment ordered *ab initio* for:
  - a. drug-dependent offenders
  - b. alcoholics
  - c. offenders with mental disorders
  - d. persons convicted of a sexual offence.
3. Compensation ordered *ab initio* by a criminal court (money payable by the offender to the victim in damages).

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4. Community service:
  - a. a sanction in its own right after an offender has been found guilty
  - b. a sanction in cases where a fully suspended prison sentence has been passed
  - c. a sanction imposed in the case of non-payment of a fine
  - d. unsuspended custodial sentence, followed by community service after release
  - e. community service performed as part of probation (sanction in its own right) or other forms of community service.
5. Probation:
  - a. a sanction in its own right after an offender has been found guilty (without the passing of a sentence of imprisonment),
  - b. a fully suspended prison sentence is passed
  - c. a partially suspended prison sentence is passed.

It is recalled that these sentences must entail assistance and supervision in the community.

6. Enforcement, in the community, of a sentence involving deprivation of liberty under an electronic monitoring scheme (measure ordered *ab initio*).
7. Semi-liberty ordered *ab initio*.
8. Conditional release of an offender before completion of the sentence.
9. Combined sanctions and measures, other than those mentioned in item 5.c: unsuspended custodial sentences, followed by treatment ordered *ab initio* for:
  - a. drug-dependent offenders
  - b. alcoholics
  - c. offenders with mental disorders
  - d. persons convicted of a sexual offence.
10. Other sanctions and measures which the respondent considers important in statistical terms and which are not covered by the preceding categories.

For purposes of comparison, data were also collected on prison sentences without either partial or full suspensions, specifying length of sentence.

### **Presentation of the statistical data**

#### *Conventions*

Case 1 - When the completed questionnaire explicitly indicates that the CSM does not exist in the legislation of a state, the entry in the tables is "\*\*\*\*" meaning "question not applicable".

Case 2 - When the completed questionnaire explicitly indicates that the CSM exists in the legislation of a state but that it was not ordered during the reference year, the entry in the tables is "0".

Case 3 - When the completed questionnaire explicitly indicates that the CSM exists in the legislation of a state but that relevant statistical data are not available, the entry in the tables is ... .

Case 4 – When the completed questionnaire indicates that there is provision for CSM but that the definition of the latter does not correspond with the definition used by SPACE, the entry in the tables is: (...). Where a country has provided figures, they are given in brackets.

Case 5 – When it cannot be decided whether the situation is as specified in Cases 1 to 4 "----" are entered. This is done when the questionnaire box is left blank or bears a symbol of imprecise meaning (e.g. " / ", " - ").

To sum up:

***	Question not applicable
0	No CSM ordered, but it exists in law
...	Statistics not available, but the CSM exists in law
(...)	There is provision in legislation for CSM but the definition is not the same as the one used by SPACE. Wherever possible, differences are explained in the notes on the tables.
[---]	Unable to decide between the above options.

The total numbers for the ten categories of sanctions or measures defined above are given in Table 1.

Tables 2, 3 and 4 contain the data concerning prison sentences without full or partial suspension. These provide a means of comparison for determining the frequency with which the various CSMs are applied.

On that basis we have calculated **two indices: a global frequency index (GFI)** obtained by finding the ratio of the number of CSMs in each category ordered in 2001 to the number of prison sentences without full or partial suspension ordered the same year (figure per 100), and a **specific frequency index (SFI)**, calculated as before but including only sentences of less than one year in the denominator.

Both indices are expressed as a percentage. Accordingly, the GFI represents the number of CSM in each category ordered for every 100 custodial sentences, without full or partial suspension, handed down in the same year. The SFI represents the number of CSM in each category ordered for every 100 custodial sentences of less than one year, without full or partial suspension, handed down in the same year.

The GFI figures for each of the main categories are given in Table 5 and the SFI figures on Table 6 Note, however, that they are not calculated in respect of conditional releases (see below).

Tables 7-11 deal with CSMs which may take different forms: treatment ordered, community service, probation, combined sanctions and measures, and others.

Measures of conditional release (CR) have undergone special processing (Table 12). GFI and SFI figures are not at all meaningful for these measures, which apply to prisoners serving a custodial sentence. It is more instructive to work out a ratio between the number of CRs for the year and the average number of prisoners eligible for them, using as the denominator the number of finally sentenced prisoners present at 1.9.1999 given in SPACE I. At all events this does not represent a "rate of award", as not all prisoners serving sentences necessarily fulfil the prescribed conditions to be granted conditional release.

### **Measures of central tendency**

In the tables containing ratios or percentages for at least 10 countries we have used the following measures to clarify further the distribution of data:

- a. Average: the arithmetic average or arithmetic mean is the sum of the data provided divided by the number of countries having supplied them. Very high or very low values can have a pronounced effect on the average, which is why we have also indicated the median as a measure of central tendency;
- b. Median: the median is the value which divides the data provided by the countries into two equal groups. 50% of countries will be above the median and the other 50% below it. The median is not affected by very high or very low values.
- c. minimum: the lowest value in the table;
- d. maximum: the highest value in the table;

### **Validation procedure**

We have introduced a validation procedure into this edition of SPACE II. We noticed certain inconsistencies in some of the completed questionnaires. Sometimes these were just minor problems, caused by typing errors when the figures were being entered; sometimes the data did not seem to be entirely consistent throughout the questionnaire; sometimes the sum of the cells did not coincide with the totals given in the tables; and sometimes, when calculating the ratios per 100,000 inhabitants or the GFI and SFI indices, we noticed anomalous data (outliers), ie extreme values which were difficult, if not impossible, to explain.

Accordingly, we asked for further clarification and verification from 11 of the 29 countries which had sent in replies. Six of these responded to our questions. In most cases, it was possible to correct the data, but in others, it was necessary to add explanations, sometimes very detailed, for certain data which might otherwise have seemed inconsistent. For those countries which did not respond to our questions, we have added some notes to those tables containing implausible data. Readers are therefore advised to read the notes to the various tables.

Lastly, despite considerable effort to identify errors and inconsistencies, some may have been missed. In addition, it should be pointed out that it was not always possible to correct satisfactorily the errors and inconsistencies.

## **General Notes**

### **1) Population figures**

- The 2001 population figure was arrived at by calculating the average population based on figures as at 1 January 2001 and 1 January 2002. The figures come from "Recent demographic developments in Europe 2001" and "Recent demographic developments in Europe 2002", Council of Europe Publishing, Strasbourg.
- For the population of Scotland, we have used figures provided by our national correspondent, reflecting the population as at 30 June 2000 (the most recent figures available).

### **2) Reference year**

Poland: Figures for 2000 (instead of 2001).

### **3) Bosnia and Herzegovina**

Only one of the two Entities of which Bosnia and Herzegovina is composed, the Federation of Bosnia and Herzegovina (the Federation), has provided figures. The other Entity, Republika Srpska, has not.

Table 1. Community sanctions and measures ordered in 2001: numbers

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Albania									
Andorra	***	0	158	0	472	0	0	9	8
Armenia									
Austria	***	***	***	***	...	***	***	1165	***
Azerbaijan	***	***	***	0	***	***	***	1423	***
Belgium	(3357)	***	***	3567	4177	***	***	832	***
Bosnia and Herzegovina: Federation	***	92	***	***	[---]	***	***	[---]	21
Bulgaria									
Croatia									
Cyprus	...	...	...	0	179	***	***	***	***
Czech Republic	32817	...	...	(8835)	...	***	***	4264	...
Denmark	***	2007	***	4238	1820	***	***	1400	***
Estonia	[---]	[---]	...	[---]	[---]	[---]	[---]	...	[---]
Finland									
France									
Georgia									
Germany	...	***	3510	...	84552	...	...	17190	***
Greece									
Hungary	...	264	***	...	...	***	***	...	***
Iceland	0	...	...	(142)	17	***	***	100	0
Ireland									
Italy	***	***	***	***	***	***	39	35	***
Latvia	***	...	...	1014	***	***	***	734	...
Liechtenstein									
Lithuania	10245	***	1800	155	***	***	***	1829	***
Luxembourg	31	...	***	(116)	275	***	***	28	...
Malta									
Moldova	...	...	***	***	6029	***	...	232	***
Netherlands	23001	***	8488	(22416)	***	[---]	***	***	***
Norway	...	...	...	766	12440	***	***	3710	***

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Poland	143497	...	***	25284	171662	***	14796	15977	***
Portugal	***	31	***	...	...	...	***	1903	***
Romania	***	246	...	***	***	***	***	25512	40
Russia									
San Marino									
Slovakia	16431	429	***	***	***	***	***	1700	...
Slovenia	***	36	***	***	...	***	***	(467)	***
Spain									
Sweden	(9434)	***	...	4320	6429	***	***	5235	***
Switzerland	***	...	***	(4027)	...	(...)	***	...	***
"FYRO Macedonia"	2421	[---]	[---]	[---]	[---]	[---]	[---]	333	[---]
Turkey	...	...	...	...	...	...	***	...	***
Ukraine									
United Kingdom:									
England and Wales									
Northern Ireland									
Scotland	...	...	1138	4869	8171	201	***	340	...



## Notes on Table 1

### Deferral

#### General note

Although only some figures appear in brackets, caution is required when interpreting this column. The very high figures provided by some countries indicate that their understanding of the concept of deferral does not correspond to that in SPACE II.

#### Austria

Although Austrian criminal law does not provide for a measure that fully corresponds to deferral in SPACE II, the latter is comparable to one of the measures of diversion introduced during a recent reform of the Austrian Code of Criminal Procedure (1 January 2000) - such measures may be imposed in cases of less serious offences. Thus, the Code provides that under certain circumstances the prosecutor (before the commencement of the judicial proceedings) and the judge (during the judicial proceedings but before the end of the trial) may issue an order adjourning the case for a period of probation (1 to 2 years). The order may provide for assistance by the probation service and/or compliance with certain obligations. The difference with deferral in SPACE II is that these orders are made without the person having been convicted. If the suspect is not convicted of an offence during the probation period and has fulfilled the obligations that may have been imposed on him/her, the prosecutor or judge is obliged to discontinue the case. No obligations may be imposed without the suspect having been fully informed of the consequences of the measures and the alternatives and if s/he does not voluntarily agree with the settlement. The interests of the victim must be also taken into consideration. As a rule, the suspect should be required to compensate the victim for his/her (financial and/or moral) damages. A similar measure of diversion is provided for under Austrian juvenile criminal law. In 2001, 11495 such decisions were made in cases of adult and juvenile offenders (9717 with obligations and 1778 without).

The juvenile criminal court may also issue a judgement suspending the sentence for a probation period of up to 3 years, if it considers this to be sufficient to deter the juvenile offender from committing further offences. There were 714 such cases in 2001. This measure does not come under SPACE II because it exclusively concerns juvenile offenders.

#### Belgium

All deferrals ordered in 2001 were accompanied by probation. Therefore, they were not a principal penalty.

#### Sweden

According to the Swedish Criminal Law, a conditional sentence may be imposed by a court for an offence for which the sanction of a fine is considered inadequate. Persons receiving conditional sentences are subject to a two-year probationary period. If the offender does not comply with the conditions, the court may revoke the conditional sentence and impose another sanction.

### Treatment ordered *ab initio*

#### Austria

Under the Austrian Criminal Code it is possible to order treatment *ab initio* under certain circumstances for offenders with mental disorders, alcohol-addicted or drug-addicted offenders. In 2001, 119 such orders were made. There is no breakdown per category of offenders. This measure does not fully correspond to treatment ordered *ab initio* in SPACE II because it involves deprivation of liberty.

#### Belgium

Treatment cannot be imposed as a principal sentence. It may only be imposed together with another penalty.

#### Slovenia

The figure is for compulsory psychiatric treatment and care in a medical institution and compulsory psychiatric treatment in the community. It is imposed instead of a criminal sentence when the offender is not considered criminally responsible.

## **Compensation order**

### Austria

Austrian criminal law does not provide for compensation orders as a principal sentence.

### Belgium

Compensation orders can only be issued *ab initio* by the prosecution authorities (i.e. they cannot be issued *ab initio* by a court).

### United Kingdom:

#### Scotland

In addition, 4861 compensation orders were imposed as a secondary penalty.

## **Community service**

### Austria

This is one of the measures of diversion introduced during the reform of the Code of Criminal Procedure mentioned under deferral. Measures of diversion may be imposed under certain circumstances by the prosecutor (before the judicial proceedings) or the judge (during the judicial proceedings) before the verdict is pronounced. This is why they are not covered by SPACE II. In 2001, 848 community orders were made in cases of juvenile or adult offenders.

### Belgium

Community service did not exist in 2001. It was introduced as an autonomous sentence in 2002.

### Czech Republic, Luxembourg and Netherlands

The breakdown of the figure for community service provided for Tables 8.1 and 8.2 indicates that these countries' understanding of the concept of community service does not correspond to that in SPACE II.

### Iceland

The figure refers to community service as a way of serving prison sentences of certain duration or fines converted to prison sentences.

### Sweden

Community service is not a principal sanction. It can be pronounced in connection with a conditional sentence (3382 sentences in 2001) or with probation (938 sentences in 2001).

### Switzerland

Community service is not a sentence imposed *ab initio* but a way of serving a sentence. The figure refers to converted unsuspended prison sentences and fines. Moreover, it refers to cases where the community service started in 2001 (the original sentence may have been imposed before).

### United Kingdom:

#### Scotland

See note on Tables 8.1 and 8.2.

## **Probation**

### Austria

In 2001 there were 14713 cases of suspended sentences of imprisonment, concerning either juvenile or adult offenders. Not all of them involved assistance and supervision in the community. No distinction is made in the statistics available between probation with assistance and supervision in the community (e.g. designation of a probation officer) and without. In 2001, there were 12385 cases of fully suspended prison sentences and 2328 cases of partially suspended prison sentences concerning either juvenile or adult offenders. In Austrian criminal law there also exists the possibility of suspension of fines on probation.

Probation as a sentence in its own right, after the offender has been found guilty and without a sentence of imprisonment having been imposed, only exists in the Austrian juvenile criminal law. The juvenile criminal court may, under certain conditions, issue a judgment without a sentence. There were 99 such cases in 2001.

As mentioned under deferral, it is also possible for the juvenile Court to suspend the sentence for a probation period of up to 3 years, if it considers that this is sufficient to deter the juvenile offender from committing further offences. There were 714 such cases in 2001.

Bosnia and Herzegovina: Federation

The same figure (394) has been provided in respect of conditional release.

Germany

Figure for 2000.

United Kingdom:

Scotland

See note on Tables 8.1 and 8.2.

### **Electronic monitoring**

Belgium

Electronic monitoring is not a principal sentence but a way of serving a sentence. It is the Prison Service that decides on the use of this measure.

Sweden

Electronic monitoring is not a principal sentence but a way of serving a prison sentence. Persons sentenced to a maximum of three months' imprisonment may request that they serve their prison sentences in this manner. In 2001, 2269 persons began serving their prison sentences in this manner (although some of them may have been sentenced in 2000).

### **Semi-liberty ordered *ab initio***

Belgium

Electronic monitoring is not a principal sanction but a way of serving a sentence. The Prison Administration decides on the use of this measure.

Italy

The figure refers to semi-detention. Under Italian law, this is the closest measure to semi-liberty ordered *ab initio*.

### **Conditional release**

Bosnia and Herzegovina: Federation

The same figure (394) has been provided in respect of probation.

Slovenia

The figure refers to conditional releases ordered by the competent commission. Prison governors may also under certain circumstances release on parole offenders that have served at least three quarters of their sentence and have less than a month to serve. In 2001, there were 315 such cases. There is no supervision of conditionally released prisoners.

**Table 2**      **Number of prison sentences ordered in 2001 (without full or partial suspension) per 100 000 inhabitants**

	Number of prison sentences	Number of inhabitants (average in 2001) in thousands	Prison sentence rate per 100 000 inhabitants
Albania			
Andorra	66	66	100
Armenia			
Austria	5718	8 130	70
Azerbaijan	14949	8 111	184
Belgium	12003	10 263	117
Bosnia and Herzegovina: Federation	920	3 900	24
Bulgaria			
Croatia			
Cyprus	1318	762	173
Czech Republic	12533	10 268	122
Denmark	9489	5 359	177
Estonia	...	***	...
Finland			
France			
Georgia			
Germany	40753	82 345	49
Greece			
Hungary	...	***	...
Iceland	306	285	107
Ireland			
Italy	...	***	...
Latvia	3272	2 355	139
Liechtenstein			
Lithuania	10406	3 481	299
Luxembourg	408	442	92
Malta			
Moldova	7061	3 631	194
Netherlands	21910	16 046	137
Norway	8441	4 514	187
Poland	(30687)	38 638	79
Portugal	5118	10 299	50
Romania	33955	22 430	151
Russia			
San Marino			
Slovakia	4332	5 379	81
Slovenia	1197	1 992	60
Spain			
Sweden	12793	8 896	144
Switzerland	...	***	...
"FYRO Macedonia"	4555	2 035	224
Turkey	...	***	...
Ukraine			
United Kingdom: England and Wales			
Northern Ireland			
Scotland	(16498)	5 115	323
<i>Average</i>			137
<i>Median</i>			130
<i>Minimum</i>			24

Maximum

323

**Notes on Table 2**

**Belgium**

The figure includes 17 military sentences.

**Poland**

Total number of absolute deprivations of liberty as opposed to total number of convictions.

**United Kingdom:**

**Scotland**

Total number obtained by adding the figures of Tables 3 and 4.

**Table 3.1 Prison sentences ordered in 2001 (without full or partial suspension): breakdown according to length/numbers**

	Less than one year	One year to less than 3 years	3 years to less than 5 years	5 years to less than 10 years	10 years to less than 20 years	20 years and over	Life sentence
Albania							
Andorra	46	15	2	2	1	0	***
Armenia							
Austria	4096	1212	222	181			7
Azerbaijan	205	1402	5006	5580	2598	0	158
Belgium	10203	1417	264	71	25	***	22
Bosnia and Herzegovina: Federation	259	216	109	195	135	6	[---]
Bulgaria							
Croatia							
Cyprus	805	438	49	16	9	0	1
Czech Republic	8407	3563		562			1
Denmark	8645	629	109	99		***	3
Estonia	[---]	[---]	[---]	[---]	47	[---]	2
Finland							
France							
Georgia							
Germany	24929	10990	3161	1364	202	...	107
Greece							
Hungary	...	...	...	...	...	...	...
Iceland	245	42	8	7	4	0	0
Ireland							
Italy	...	...	...	...	...	...	...
Latvia	386	2042	386	281	57	***	1
Liechtenstein							
Lithuania	817	3373	2353	2765	1010	9	0
Luxembourg	251	157					
Malta							
Moldova	41	506	1557	3110	1801		46
Netherlands	19658	1410	555	243	43	0	0
Norway	7624	611	114	...	...	...	***
Poland	13996	13054	2411	836	195	49	12
Portugal	782	1657	1149	1267	238	25	***
Romania	7079	...	...	3242	473	288	8
Russia							
San Marino							
Slovakia	[---]	[---]	[---]	[---]	[---]	[---]	[---]
Slovenia	814	270	79	29	5	0	***
Spain							
Sweden	10961	1822				***	10
Switzerland	...	...	...	...	...	...	...
"FYRO Macedonia"	3716	723	77	31	8	***	***
Turkey	...	...	...	...	...	...	...
Ukraine							
United Kingdom:							
England and Wales							
Northern Ireland							
Scotland	14487	1326	358	264	29	0	34

**Table 3.2 Prison sentences ordered in 2001 (without full or partial suspension): breakdown according to length/percentages**

	Less than one year	One year to less than 3 years	3 years to less than 5 years	5 years to less than 10 years	10 years to less than 20 years	20 years and over	Life sentence
Albania							
Andorra	69,7	22,7	3,0	3,0	1,5	0,0	***
Armenia							
Austria	71,6	21,2	3,9	3,2			0,1
Azerbaijan	1,4	9,4	33,5	37,3	17,4	0,0	1,1
Belgium	85,0	11,8	2,2	0,6	0,2	***	0,2
Bosnia and Herzegovina: Federation	28,2	23,5	11,8	21,2	14,7	0,7	[--]
Bulgaria							
Croatia							
Cyprus	61,1	33,2	3,7	1,2	0,7	0,0	0,1
Czech Republic	67,1	28,4		4,5			0,01
Denmark	91,1	6,6	1,1	1,0		***	0,0
Estonia	[--]	[--]	[--]	[--]	...	[--]	...
Finland							
France							
Georgia							
Germany	61,2	27,0	7,8	3,3	0,5	...	0,3
Greece							
Hungary	...	...	...	...	...	...	...
Iceland	80,1	13,7	2,6	2,3	1,3	0,0	0,0
Ireland							
Italy							
Latvia	11,8	62,4	15,4	8,6	1,7	***	0,0
Liechtenstein							
Lithuania	7,9	32,4	22,6	26,6	9,7	0,1	0,0
Luxembourg	61,5	38,5					
Malta							
Moldova	0,6	7,2	22,1	44,0	25,5		0,7
Netherlands	89,7	6,4	2,5	1,1	0,2	0,0	0,0
Norway	90,3	7,2	1,4	...	...	...	***
Poland	45,6	42,5	7,9	2,7	0,6	0,2	0,04
Portugal	15,3	32,4	22,5	24,8	4,7	0,5	***
Romania	20,8	...	...	9,5	1,4	0,8	0,02
Russia							
San Marino							
Slovakia	[--]	[--]	[--]	[--]	[--]	[--]	[--]
Slovenia	68,0	22,6	6,6	2,4	0,4	0,0	***
Spain							
Sweden	85,7	14,2				***	0,1
Switzerland	...	...	...	...	...	...	...
"FYRO Macedonia"	81,6	15,9	1,7	0,7	0,2	***	***
Turkey	...	...	...	...	...	...	...
Ukraine							
United Kingdom: England and Wales							
Northern Ireland							
Scotland	87,8	8,0	2,2	1,6	0,2	0,0	0,2
Average	55,8	21,4	9,2	11,2	3,5	0,2	0,2
Median	67,1	21,2	3,9	3,0	1,0	0,0	0,1
Minimum	0,6	6,4	1,1	0,6	0,2	0,0	0,0
Maximum	91,1	62,4	33,5	44,0	17,4	0,8	1,1

**Table 3.3 Prison sentences ordered in 2001 (without full or partial suspension): breakdown according to length/cumulated frequencies in %**

	Total sentences	Less than 1 year (Table 3.2)	1 year and over (of determinate duration)	3 years and over (of determinate duration)	5 years and over (of determinate duration)	10 years and over (of determinate duration)	20 years and over (of determinate duration)	Life sentence (Table 3.2)
Albania								
Andorra	100,0	69,7	30,3	7,6	4,5	1,5	0,0	***
Armenia								
Austria	100,0	71,6	28,2	7,0	3,2	...	...	0,1
Azerbaijan	100,0	1,4	97,6	88,2	54,7	17,4	0,0	1,1
Belgium	100,0	85,0	14,8	3,0	0,8	0,2	***	0,2
Bosnia and Herzegovina: Federation	100,0	28,2	71,8	48,4	36,5	15,3	0,7	[---]
Bulgaria								
Croatia								
Cyprus	100,0	61,1	38,8	5,6	1,9	0,7	0,0	0,1
Czech Republic	100,0	67,1	32,9	...	4,5	...	...	0,01
Denmark	100,0	91,1	8,8	2,2	1,0	...	***	0,0
Estonia	...	[---]	[---]	[---]	[---]	[---]	[---]	...
Finland								
France								
Georgia								
Germany	100,0	61,2	38,6	11,6	3,8	0,5	...	0,3
Greece								
Hungary	...	...	...	...	...	...	...	...
Iceland	100,0	80,1	19,9	6,2	3,6	1,3	0,0	0,0
Ireland								
Italy	...	...	...	...	...	...	...	...
Latvia	100,0	11,8	88,2	25,8	10,3	1,7	***	0,0
Liechtenstein								
Lithuania	(99,2)	7,9	91,4	59,0	36,4	9,8	0,1	0,0
Luxembourg	100,0	61,5	38,5	...	...	...	...	...
Malta								
Moldova	100,0	0,6	98,8	91,6	69,6	25,5	...	0,7
Netherlands	100,0	89,7	10,3	3,8	1,3	0,2	0,0	0,0
Norway	98,9	90,3	8,6	1,4	...	...	...	***
Poland	(99,6)	45,6	53,9	11,4	3,5	0,8	0,2	0,04
Portugal	100,0	15,3	84,7	52,3	29,9	5,1	0,5	***
Romania	32,7	20,8	...	...	11,8	2,2	0,8	0,02
Russia								
San Marino								
Slovakia	...	[---]	[---]	[---]	[---]	[---]	[---]	[---]
Slovenia	100,0	68,0	32,0	9,4	2,8	0,4	0,0	***
Spain								
Sweden	100,0	85,7	14,2	...	...	...	***	0,1
Switzerland	...	...	...	...	...	...	...	...
"FYRO Macedonia"	100,0	81,6	18,4	2,5	0,9	0,2	***	***
Turkey	...	...	...	...	...	...	...	...
Ukraine								
United Kingdom: England and Wales								
Northern Ireland								
Scotland	100,0	87,8	12,0	3,9	1,8	0,2	0,0	0,2
Average		55,8	42,4	23,2	14,1	4,9	0,2	0,2
Median		67,1	32,5	7,6	3,7	1,3	0,0	0,1
Minimum		0,6	8,6	1,4	0,8	0,2	0,0	0,0
Maximum		91,1	98,8	91,6	69,6	25,5	0,8	1,1



### Notes on Tables 3.1 to 3.3

#### **Austria**

##### **Prison sentences imposed in 2001**

Figures include convictions of both adults and juveniles.

The breakdown of the sentences is as follows: up to 3 months (including a sentence of 3 months), more than 3 months up to 6 months (including a sentence of 6 months) and so on.

#### **Belgium**

The breakdown of sentences according to their length is given for a total number of 12002 sentences (instead of the 12003 indicated in Table 2).

#### **Czech Republic**

The 562 sentences given under "5 years and over" can be broken down as follows:

- 5-14 years: 547
- 15 years and over: 15

#### **Denmark**

The 99 sentences given under "5 years and over" can be broken down as follows:

- 5 -11 years: 93
- 12-16 years: 6

Four more sentences should be added under "indeterminate custody" (sentences to an indeterminate deprivation of liberty for grave offences), giving a total of 9489 custodial sentences.

#### **Latvia**

The breakdown of the sentences is as follows: more than 1 year up to 3 years, more than 3 years up to 5 years, more than 5 years up to 10 years and more than 10 years and over.

#### **Lithuania**

Categories do not add up to 100% for unknown reasons.

#### **Moldova**

The 1801 sentences given under "10 years and over" can be broken down as follows:

- 10-14 years: 1402
- 15 years and over: 399

#### **Netherlands**

The breakdown of the sentences according to their length is given for a total number of 21909 sentences (instead of the 21910 indicated in Table 2).

#### **Norway**

Categories do not add up to 100% because no data was available for three categories.

#### **Poland**

Categories do not add up to 100% because the total refers to the total number of absolute deprivations of liberty as opposed to total number of convictions (see note on Table 2).

#### **Romania**

Categories do not add up to 100% because no data was available for two categories.

#### **"FYRO Macedonia"**

According to the Criminal Code, imprisonment may not be shorter than 30 days or longer than 15 years.

#### **United Kingdom:**

##### **Scotland**

There was 1 case where the sentence length was not known.

**Table 4.1** Prison sentences of less than one year, ordered in 2001 (without full or partial suspension): breakdown according to length/numbers

	Less than 3 months	3 months to less than 6 months	6 months to less than one year	Total: less than one year (Table 3.1.)
Albania				
Andorra	32	6	8	46
Armenia				
Austria	1800	1137	1159	4096
Azerbaijan	***	67	138	205
Belgium	5086	3131	1986	10203
Bosnia and Herzegovina: Federation	62	83	114	259
Bulgaria				
Croatia				
Cyprus	444	227	134	805
Czech Republic	8407			8407
Denmark	6343	1476	826	8645
Estonia	[---]	[---]	[---]	[---]
Finland				
France				
Georgia				
Germany	11543		13386	24929
Greece				
Hungary	...	...	...	...
Iceland	153	64	28	245
Ireland				
Italy	...	...	...	...
Latvia	386			386
Liechtenstein				
Lithuania	0	229	588	817
Luxembourg	47	66	138	251
Malta				
Moldova	***	***	41	41
Netherlands	15297	2766	1595	19658
Norway	5888	790	946	7624
Poland	***	920	13076	13996
Portugal	117	195	654	966
Romania	3168	...	3911	7079
Russia				
San Marino				
Slovakia	[---]	[---]	[---]	[---]
Slovenia	191	312	311	814
Spain				
Sweden	5541	2538	2882	10961
Switzerland	...	...	...	...
"FYRO Macedonia"	1353	1372	991	3716
Turkey	...	...	...	...
Ukraine				
United Kingdom:				
England and Wales				
Northern Ireland				
Scotland	4691	7148	2648	14487

**Table 4.2 Prison sentences of less than one year, ordered in 2001 (without full or partial suspension): breakdown according to length/percentages**

	Less than 3 months	3 months to less than 6 months	6 months to less than one year	Total: less than one year
Albania				
Andorra	69,6	13,0	17,4	100
Armenia				
Austria	43,9	27,8	28,3	100
Azerbaijan	***	32,7	67,3	100
Belgium	49,8	30,7	19,5	100
Bosnia and Herzegovina: Federation	23,9	32,0	44,0	100
Bulgaria				
Croatia				
Cyprus	55,2	28,2	16,6	100
Czech Republic	100,0			100
Denmark	73,4	17,1	9,6	100
Estonia	[--]	[--]	[--]	...
Finland				
France				
Georgia				
Germany	46,3		53,7	100
Greece				
Hungary	...	...	...	...
Iceland	62,4	26,1	11,4	100
Ireland				
Italy	...	...	...	...
Latvia	100,0			100
Liechtenstein				
Lithuania	0,0	28,0	72,0	100
Luxembourg	18,7	26,3	55,0	100
Malta				
Moldova	***	***	100,0	100
Netherlands	77,8	14,1	8,1	100
Norway	77,2	10,4	12,4	100
Poland	***	6,6	93,4	100
Portugal	12,1	20,2	67,7	100
Romania	44,8	...	55,2	100
Russia				
San Marino				
Slovakia	[--]	[--]	[--]	...
Slovenia	23,5	38,3	38,2	100
Spain				
Sweden	50,6	23,2	26,3	100
Switzerland	...	...	...	...
"FYRO Macedonia"	36,4	36,9	26,7	100
Turkey	...	...	...	...
Ukraine				
United Kingdom: England and Wales				
Northern Ireland				
Scotland	32,4	49,3	18,3	100
Average	44,2	25,6	40,1	
Median	44,8	27,1	28,3	
Minimum	0,0	6,6	8,1	
Maximum	77,8	49,3	100,0	

**Table 4.3** Prison sentences of less than one year, ordered in 2001 (without full or partial suspension): breakdown according to length/cumulated frequencies in %

	Total less than one year	Less than 3 months (Table 4.2)	Less than 6 months
Albania			
Andorra	100	69,6	82,6
Armenia			
Austria	100	43,9	71,7
Azerbaijan	100	***	32,7
Belgium	100	49,8	80,5
Bosnia and Herzegovina: Federation	100	23,9	56,0
Bulgaria			
Croatia			
Cyprus	100	55,2	83,4
Czech Republic	100	...	...
Denmark	100	73,4	90,4
Estonia	...	[---]	[---]
Finland			
France			
Georgia			
Germany	100	...	46,3
Greece			
Hungary	...	...	...
Iceland	100	62,4	88,6
Ireland			
Italy	...	...	...
Latvia	100	...	...
Liechtenstein			
Lithuania	100	0,0	28,0
Luxembourg	100	18,7	45,0
Malta			
Moldova	***	***	***
Netherlands	100	77,8	91,9
Norway	100	77,2	87,6
Poland	100	***	6,6
Portugal	100	12,1	32,3
Romania	100	44,8	...
Russia			
San Marino			
Slovakia	...	[---]	[---]
Slovenia	100	23,5	61,8
Spain			
Sweden	100	50,6	73,7
Switzerland	...	...	...
"FYRO Macedonia"	100	36,4	73,3
Turkey	...	...	...
Ukraine			
United Kingdom: England and Wales			
Northern Ireland			
Scotland	100	32,4	81,7
<i>Average</i>		44,2	63,9
<i>Median</i>		44,8	73,3
<i>Minimum</i>		0,0	6,6
<i>Maximum</i>		77,8	91,9

**Notes on Tables 4.1 to 4.3**

**Belgium**

The figure in Table 4.1 for prison sentences of less than 3 months includes 16 military sentences and the figure for 3 months to less than 6 months 1 military sentence.

**Table 5. Community sanctions and measures ordered in 2001:  
global frequency index (GFI) per 100 prison sentences (without full or partial suspension)**

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Albania									
Andorra	***	0,0	239,4	0,0	715,2	0,0	0,0		12,1
Armenia									
Austria	***	***	***	***	...	***	***		***
Azerbaijan	***	***	***	0,0	***	***	***		***
Belgium	(28,0)	***	***	29,7	34,8	***	***		***
Bosnia and Herzegovina: Federation	***	10,0	***	***	[---]	***	***		2,3
Bulgaria									
Croatia									
Cyprus	...	...	...	0,0	13,6	***	***		***
Czech Republic	261,8	...	...	(70,5)	...	***	***		...
Denmark	***	21,2	***	44,7	19,2	***	***		***
Estonia	[---]	[---]	...	[---]	[---]	[---]	[---]		[---]
Finland									
France									
Georgia									
Germany	...	***	8,6	...	207,5	...	...		***
Greece									
Hungary	...	...	***	...	...	***	***		***
Iceland	0,0	...	...	(46,4)	5,6	***	***		0,0
Ireland									
Italy	***	***	***	***	***	***	...		***
Latvia	***	...	...	31,0	***	***	***		...
Liechtenstein							***		
Lithuania	98,5	***	17,3	1,5	***	***	***		***
Luxembourg	7,6	...	***	(28,4)	67,4	***	***		...
Malta							...		
Moldova	...	...	***	***	85,4	***	***		***
Netherlands	105,0	***	38,7	(102,3)	***	[---]	***		***

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Norway	...	...	...	9,1	147,4	***	***		***
Poland	467,6	...	***	82,4	559,4	***	48,2		***
Portugal	***	0,6	***	...	...	...	***		***
Romania	***	0,7	...	***	***	***	***		0,1
Russia									
San Marino									
Slovakia	379,3	9,9	***	***	***	***	***		...
Slovenia	***	3,0	***	***	...	***	***		***
Spain									
Sweden	(73,7)	***	...	33,8	50,3	***	***		***
Switzerland	***	...	***	(...)	...	(...)	***		***
"FYRO Macedonia"	53,2	[---]	[---]	[---]	[---]	[---]	[---]		[---]
Turkey	...	...	...	...	...	...	***		***
Ukraine									
United Kingdom:									
England and Wales									
Northern Ireland									
Scotland	...	...	6,9	29,5	49,5	1,2	***		...

See notes on Table 1.

**Table 6. Community sanctions and measures ordered in 2001: specific frequency index (SFI) per 100 prison sentences (without full or partial suspension)**

	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Albania									
Andorra	***	0,0	343,5	0,0	1026,1	0,0	0,0		17,4
Armenia									
Austria	***	***	***	***	...	***	***		***
Azerbaijan	***	***	***	0,0	***	***	***		***
Belgium	(32,9)	***	***	35,0	40,9	***	***		***
Bosnia and Herzegovina: Federation	***	35,5	***	***	[---]	***	***		8,1
Bulgaria									
Croatia									
Cyprus	...	...	...	0,0	22,2	***	***		***
Czech Republic	390,4	...	...	(105,1)	...	***	***		...
Denmark	***	23,2	***	49,0	21,1	***	***		***
Estonia	[---]	[---]	...	[---]	[---]	[---]	[---]		[---]
Finland									
France									
Georgia									
Germany	...	***	14,1	...	339,2	...	...		***
Greece									
Hungary	...	...	***	...	...	***	***		***
Iceland	0,0	...	...	(58,0)	6,9	***	***		0,0
Ireland									
Italy	***	***	***	***	***	***	...		***
Latvia	***	...	...	262,7	***	***	***		...
Liechtenstein									
Lithuania	1254,0	***	220,3	19,0	***	***	***		***
Luxembourg	12,4	...	***	(46,2)	109,6	***	***		...
Malta									
Moldova	...	...	***	***	14704,9	***	...		***
Netherlands	117,0	***	43,2	(114,0)	***	[---]	***		***



	Deferral	Treatment ordered <i>ab initio</i>	Compensation order	Community service	Probation	Electronic monitoring	Semi-liberty ordered <i>ab initio</i>	Conditional release	Combined sanctions and measures
Norway	...	...	...	10,0	163,2	***	***		***
Poland	1025,3	...	***	180,7	1226,5	***	105,7		***
Portugal	***	4,0	***	...	...	...	***		***
Romania	***	3,5	...	***	***	***	***		0,6
Russia									
San Marino									
Slovakia	...	...	***	***	***	***	***		...
Slovenia		4,4					***		***
Spain									
Sweden	(86,1)	***	...	39,4	58,7	***	***		***
Switzerland		...	***	(...)	...	(...)	***		***
"FYRO Macedonia"	65,2	[---]	[---]	[---]	[---]	[---]	[---]		[---]
Turkey	...	...	...	...	...	...	***		***
Ukraine									
United Kingdom:									
England and Wales									
Northern Ireland									
Scotland	...	...	7,9	33,6	56,4	1,4	***		...

See notes on Table 1.

**Table 7.1 Treatment ordered *ab initio* in 2001: numbers**

	Treatment ordered <i>ab initio</i> for ...				
	Total	Drug-dependent offenders	Alcoholics	Offenders with mental disorders	Persons convicted of a sexual offence
Albania					
Andorra	0	0	0	0	0
Armenia					
Austria	***	***	***	***	***
Azerbaijan	***	***	***	***	***
Belgium	***	***	***	***	***
Bosnia and Herzegovina: Federation	92	[---]	[---]	[---]	[---]
Bulgaria					
Croatia					
Cyprus	...	33	...	...	3
Czech Republic	...	...	...	...	...
Denmark	2007	33	1627	326	21
Estonia	[---]	[---]	[---]	[---]	[---]
Finland					
France					
Georgia					
Germany	***	***	***	***	***
Greece					
Hungary	264	***	158	106	***
Iceland	...	...	...	...	...
Ireland					
Italy	***	***	***	***	***
Latvia	...	...	...	...	...
Liechtenstein					
Lithuania	***	***	***	***	***
Luxembourg	...	...	...	...	...
Malta					
Moldova	...	...	...	...	...
Netherlands	***	***	***	***	***
Norway	...	...	...	...	...
Poland	...	...	...	...	***
Portugal	31	3	***	28	***
Romania	246	...	...	...	...
Russia					
San Marino					
Slovakia	429	250	135	...	...
Slovenia	36	***	***	36	***
Spain					
Sweden	***	***	***	***	***
Switzerland	...	...	...	...	...
"FYRO Macedonia"	[---]	[---]	[---]	[---]	[---]
Turkey	...	134	3	...	32
Ukraine					
United Kingdom: England and Wales					
Northern Ireland					
Scotland	...	276	...	...	...

**Table 7.2 Treatment ordered *ab initio* in 2001: percentages**

	Treatment ordered <i>ab initio</i> for ...				
	Total	Drug dependent offenders	Alcoholics	Offenders with mental disorders	Persons convicted of a sexual offence
Albania					
Andorra	0	0	0	0	0
Armenia					
Austria	***	***	***	***	***
Azerbaijan	***	***	***	***	***
Belgium	***	***	***	***	***
Bosnia and Herzegovina: Federation	100,0	[---]	[---]	[---]	[---]
Bulgaria					
Croatia					
Cyprus	...	...	...	...	...
Czech Republic	...	...	...	...	...
Denmark	100,0	1,6	81,1	16,2	1,0
Estonia	[---]	[---]	[---]	[---]	[---]
Finland					
France					
Georgia					
Germany	***	***	***	***	***
Greece					
Hungary	100,0	***	59,8	40,2	***
Iceland	...	...	...	...	...
Ireland					
Italy	***	***	***	***	***
Latvia	...	...	...	...	...
Liechtenstein					
Lithuania	***	***	***	***	***
Luxembourg	...	...	...	...	...
Malta					
Moldova	...	...	...	...	...
Netherlands	***	***	***	***	***
Norway	...	...	...	...	...
Poland	...	...	...	...	***
Portugal	100,0	9,7	***	90,3	***
Romania	100,0	...	...	...	...
Russia					
San Marino					
Slovakia	89,8	58,3	31,5	...	...
Slovenia	100,0	***	***	100,0	***
Spain					
Sweden	***	***	***	***	***
Switzerland	...	...	...	...	...
"FYRO Macedonia"	[---]	[---]	[---]	[---]	[---]
Turkey	...	...	...	...	...
Ukraine					
United Kingdom: England and Wales					
Northern Ireland					
Scotland	...	...	...	...	...

**Notes on Tables 7.1 and 7.2**

**General note**

See notes on Table 1.

**Slovakia**

Categories do not add up to 100% because data was not available for two categories.

**Table 8.1 Penalties of community service ordered in 2001: numbers**

- A. Sanction in its own right after an offender has been found guilty  
 B. Sanction in cases where a fully suspended prison sentence has been passed  
 C. Sanction imposed in the case of non-payment of a fine  
 D. Unsuspended custodial sentence, followed by community service after release  
 E. Community service performed as part of probation (sentencing in its own right) or other forms of community service

	Ensemble	A	B	C	D	E
Albania						
Andorra	0	***	0	***	0	***
Armenia						
Austria	***	***	***	***	***	***
Azerbaijan	0	0	...	...	***	***
Belgium	3567	***	...	***	***	734
Bosnia and Herzegovina: Federation	***	***	***	***	***	***
Bulgaria						
Croatia						
Cyprus	0	0	***	***	***	0
Czech Republic	(8835)	***	***	***	***	***
Denmark	4238	...	...	***	74	4164
Estonia	[---]	...	[---]	...	[---]	[---]
Finland						
France						
Georgia						
Germany	...	...	***	31372	***	***
Greece						
Hungary	...	...	...	...	...	...
Iceland	(142)	***	***	***	***	***
Ireland						
Italy	***	***	***	***	***	***
Latvia	1014	1014	***	***	***	***
Liechtenstein						
Lithuania	155	***	***	155	***	...
Luxembourg	(116)	***	***	***	***	***
Malta						
Moldova	***	***	***	***	***	***
Netherlands	(22416)	[---]	[---]	[---]	[---]	[---]
Norway	766	...	***	***	...	***
Poland	25284	14507	***	10777	***	***
Portugal	...	94	...	***	***	...
Romania	***	***	***	***	***	***
Russia						
San Marino						
Slovakia	***	***	***	***	***	***
Slovenia	***	***	***	***	***	***
Spain						
Sweden	4320	***	***	***	***	4320
Switzerland	(4027)	***	***	***	***	(...)
"FYRO Macedonia"	[---]	[---]	[---]	[---]	[---]	[---]
Turkey	...	...	...	...	...	...
Ukraine						
United Kingdom: England and Wales						
Northern Ireland						
Scotland	4869	4869	***	***	***	(1441)

**Table 8.2 Penalties of community service ordered in 2001: percentages**

- A. Sanction in its own right after an offender has been found guilty  
 B. Sanction in cases where a fully suspended prison sentence has been passed  
 C. Sanction imposed in the case of non-payment of a fine  
 D. Unsuspended custodial sentence, followed by community service after release  
 E. Community service performed as part of probation (sentencing in its own right) or other forms of community service

	Ensemble	A	B	C	D	E
Albania						
Andorra	0	***	0	***	0	***
Armenia						
Austria	***	***	***	***	***	***
Azerbaijan	0	0	...	...	***	***
Belgium	(20,6)	***	...	***	***	20,6
Bosnia and Herzegovina: Federation	***	***	***	***	***	***
Bulgaria						
Croatia						
Cyprus	0	0	***	***	***	0
Czech Republic	(...)	***	***	***	***	***
Denmark	100,0	...	...	***	1,7	98,3
Estonia	...	...	[---]	...	[---]	[---]
Finland						
France						
Georgia						
Germany	...	...	***	...	***	***
Greece						
Hungary	...	...	...	...	...	...
Iceland	(...)	***	***	***	***	***
Ireland						
Italy	***	***	***	***	***	***
Latvia	100,0	100,0	***	***	***	***
Liechtenstein						
Lithuania	100,0	***	***	100,0	***	...
Luxembourg	(...)	***	***	***	***	***
Malta						
Moldova	***	***	***	***	***	***
Netherlands	(...)	[---]	[---]	[---]	[---]	[---]
Norway	...	...	***	***	...	***
Poland	100,0	57,4	***	42,6	***	***
Portugal	...	...	...	***	***	...
Romania	***	***	***	***	***	***
Russia						
San Marino						
Slovakia	***	***	***	***	***	***
Slovenia	***	***	***	***	***	***
Spain						
Sweden	100,0	***	***	***	***	100,0
Switzerland	(...)	***	***	***	***	(...)
"FYRO Macedonia"	...	[---]	[---]	[---]	[---]	[---]
Turkey	...	...	...	...	...	...
Ukraine						
United Kingdom: England and Wales						
Northern Ireland						
Scotland	100,0	100,0	***	***	***	(...)

## Notes on Tables 8.1 and 8.2

### General note

See notes on Table 1.

### Belgium

- Categories do not add up to 100% because no data was available for some categories.
- Community service performed as part of probation (sentencing in its own right) or other forms of community service: 734 sentences of which 675 were ordered by the Public Prosecution Service and 59 under conditional release.

### Germany

**Community service: sanction imposed in the case of the non-payment of a fine:** Figure for 1999 (except for Berlin, Hamburg and Schleswig-Holstein).

### United Kingdom:

#### Scotland

**Community service while on probation (sanction in its own right) or community service: other cases.** 1441 cases not included in the 4869 total but included in the totals of the category "Probation" and the subcategory "Probation: a sentence in its own right after an offender has been found guilty (without the pronouncement of a sentence of imprisonment)".

This means that, when the community service is imposed together with a probation sentence, it is not considered a sanction in its own right; therefore, only the probation sentence is counted.

If that had not been the case, Scotland would have had 6310 community services, of which 4869 (77.2%) as a sanction in its own right and 1441 (22.8%) while on probation.

**Table 9.1 Probation measures ordered in 2001: numbers**

- A. Sentence in its own right after an offender has been found guilty, without the passing of a sentence of imprisonment  
 B. Fully suspended prison sentence is passed (\*)  
 C. Partially suspended prison sentence is passed (\*)

	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>
Albania				
Andorra	472	***	445	27
Armenia				
Austria	...	***	...	...
Azerbaijan	***	***	***	***
Belgium	4177	***	2265	1912
Bosnia and Herzegovina: Federation	[---]	[---]	[---]	[---]
Bulgaria				
Croatia				
Cyprus	179	17	162	...
Czech Republic	...	***	...	***
Denmark	1820	1300	300	220
Estonia	[---]	[---]	[---]	[---]
Finland				
France				
Georgia				
Germany	84552	***	84552	***
Greece				
Hungary	...	...	...	...
Iceland	17	...	13	4
Ireland				
Italy	***	***	***	***
Latvia	***	***	***	***
Liechtenstein				
Lithuania	***	***	***	***
Luxembourg	275	***	219	56
Malta				
Moldova	6029	5788	241	...
Netherlands	***	***	***	***
Norway	12440	***	10255	2185
Poland	171662	***	15977	***
Portugal	...	...	1743	***
Romania	***	***	***	***
Russia				
San Marino				
Slovakia	***	***	***	***
Slovenia	...	***	...	***
Spain				
Sweden	6429	6164	***	***
Switzerland	...	...	...	...
"FYRO Macedonia"	[---]	[---]	[---]	[---]
Turkey	...	...	...	...
Ukraine				
United Kingdom: England and Wales				
Northern Ireland				
Scotland	8171	8171	***	***



**Table 9.2 Probation measures ordered in 2001: percentages**

- A. Sentence in its own right after an offender has been found guilty, without the passing of a sentence of imprisonment  
 B. Fully suspended prison sentence is passed (\*)  
 C. Partially suspended prison sentence is passed (\*)

	Ensemble	A	B	C
Albania				
Andorra	100,0	***	94,3	5,7
Armenia				
Austria	...	***	***	***
Azerbaijan	***	***	***	***
Belgium	100	***	54,2	45,8
Bosnia and Herzegovina: Federation	[---]	[---]	[---]	[---]
Bulgaria				
Croatia				
Cyprus	100,0	9,5	90,5	...
Czech Republic	...	***	...	***
Denmark	100,0	71,4	16,5	12,1
Estonia	...	[---]	[---]	[---]
Finland				
France				
Georgia				
Germany	100,0	***	100,0	***
Greece				
Hungary	...	...	...	...
Iceland	100,0	...	76,5	23,5
Ireland				
Italy	***	***	***	***
Latvia	***	***	***	***
Liechtenstein				
Lithuania	***	***	***	***
Luxembourg	100,0	***	79,6	20,4
Malta				
Moldova	100,0	96,0	4,0	...
Netherlands	***	***	***	***
Norway	100,0	***	82,4	17,6
Poland	(9,3)	***	9,3	***
Portugal	...	...	...	...
Romania	***	***	***	***
Russia				
San Marino				
Slovakia	***	***	***	***
Slovenia	...	***	...	***
Spain				
Sweden	(95,9)	95,9	***	***
Switzerland	...	...	...	...
"FYRO Macedonia"	...	[---]	[---]	[---]
Turkey	...	...	...	...
Ukraine				
United Kingdom: England and Wales				
Northern Ireland				
Scotland	100,0	100,0	***	***

## **Notes on Tables 9.1 and 9.2**

### **General note**

See notes on Table 1.

### **Denmark / Denmark**

Figures for A, B and C are estimates.

### **Poland and Sweden**

A, B and C do not add up to 100% because the categories of the national system do not correspond to the categories of SPACE II.

### **United Kingdom:**

#### **Scotland**

See note on Tables 8.1 and 8.2.

**Table 10.1 Combined sanctions and measures ordered in 2001 (other than those indicated in Table 9, item C): numbers**

	Total	Unsuspended custodial sentence, followed by an obligation to undergo treatment after release planned for ...			
		Drug addicts	Alcoholics	Persons suffering from psychiatric problems	Persons imprisoned for sex-related offences
Albania					
Andorra	8	5	2	1	0
Armenia					
Austria	***	***	***	***	***
Azerbaijan	***	***	***	***	***
Belgium	***	***	***	***	***
Bosnia and Herzegovina: Federation	21	18	3	[---]	[---]
Bulgaria					
Croatia					
Cyprus	***	***	***	***	***
Czech Republic	...	...	...	...	...
Denmark	***	***	***	***	***
Estonia	[---]	[---]	[---]	[---]	[---]
Finland					
France					
Georgia					
Germany	***	***	***	***	***
Greece					
Hungary	***	***	***	***	***
Iceland	0	0	0	0	0
Ireland					
Italy	***	***	***	***	***
Latvia	...	...	...	...	...
Liechtenstein					
Lithuania	***	***	***	***	***
Luxembourg	...	...	...	...	...
Malta					
Moldova	***	***	***	***	***
Netherlands	***	***	***	***	***
Norway	***	***	***	***	***
Poland	***	***	***	***	***
Portugal	***	***	***	***	***
Romania	40	2	...	38	...
Russia					
San Marino					
Slovakia	...	...	...	...	...
Slovenia	***	***	***	***	***
Spain					
Sweden	***	***	***	***	***
Switzerland	***	***	***	***	***
"FYRO Macedonia"	[---]	[---]	[---]	[---]	[---]
Turkey	***	***	***	***	***
Ukraine					
United Kingdom: England and Wales					
Northern Ireland					
Scotland	...	...	...	...	...

**Table 10.2 Combined sanctions and measures ordered in 2001 (other than those indicated in Table 9, item C): percentages**

	Total	Unsuspended custodial sentence, followed by an obligation to undergo treatment after release planned for ...			
		Drug addicts	Alcoholics	Persons suffering from psychiatric problems	Persons imprisoned for sex-related offences
Albania					
Andorra	100,0	62,5	25,0	12,5	0,0
Armenia					
Austria	***	***	***	***	***
Azerbaijan	***	***	***	***	***
Belgium	***	***	***	***	***
Bosnia and Herzegovina: Federation	100,0	85,7	14,3	[---]	[---]
Bulgaria					
Croatia					
Cyprus	***	***	***	***	***
Czech Republic	...	...	...	...	...
Denmark	***	***	***	***	***
Estonia	...	[---]	[---]	[---]	[---]
Finland					
France					
Georgia					
Germany	***	***	***	***	***
Greece					
Hungary	***	***	***	***	***
Iceland	0	0	0	0	0
Ireland					
Italy	***	***	***	***	***
Latvia	...	...	...	...	...
Liechtenstein					
Lithuania	***	***	***	***	***
Luxembourg	...	...	...	...	...
Malta					
Moldova	***	***	***	***	***
Netherlands	***	***	***	***	***
Norway	***	***	***	***	***
Poland	***	***	***	***	***
Portugal	***	***	***	***	***
Romania	100,0	5,0	...	95,0	...
Russia					
San Marino					
Slovakia	...	...	...	...	...
Slovenia	***	***	***	***	***
Spain					
Sweden	***	***	***	***	***
Switzerland	***	***	***	***	***
"FYRO Macedonia"	...	[---]	[---]	[---]	[---]
Turkey	***	***	***	***	***
Ukraine					
United Kingdom: England and Wales					
Northern Ireland					
Scotland	...	...	...	...	...

**Table 11**      **Other community sanctions and measures, (with support and supervision) ordered in 2001, perceived as important in statistical terms in the country considered, and not covered by the preceding items**

	<b>Type of measure</b>	<b>Numbers</b>
<b>Andorra</b>	1) Conditional release for employment purposes	4
	2) Release conditional on there being no contact with certain specified individuals	1
	3) Release conditional on not leaving home during specified hours	1
	4) Release conditional on compensation given to the victim	6
	5) Release conditional on regular payment of alimony	2
<b>Cyprus</b>	Security for keeping the peace	448
<b>Czech Republic</b>	1) The conditional cessation of criminal prosecution imposed (ordered) by: The Public Prosecutor's Office	7 704
	The court	3 589
	2) Legal settlement (mediation)	242
<b>Denmark</b>	1) Treatment instead of imprisonment (special alternative to incarceration)	319
	2) Withdrawal of charges: According to the Danish Criminal Justice Administration Act, paragraph 723, the judge can decide to withdraw charges and instead order supervision for a period. This is mainly used vis-à-vis young offenders. In the 13 cases reported in SPACE II, the supervision was provided by the probation service.	13
<b>Iceland</b>	1) Prisoners transferred from prison for the last six weeks of their imprisonment to an in-patient treatment program for alcohol and drug addicts in a private institution	28
	2) Prisoners transferred from prison for the six last months of their imprisonment to a half way house run by the prisoners Aid Association	43
	3) Conditional withdrawal (waiver) of prosecution with two years supervision	97
<b>Italy</b>	1) Assignment of the offender to the probation service (alternative measure to imprisonment)	14454 <i>(including 3321 drug or alcohol addicts)</i>
	2) Home detention (alternative measure granted to some particular categories sentenced to imprisonment)	7476
	3) Semi-liberty (alternative measure granted to offenders sentenced to imprisonment)	1835
<b>Latvia</b>	Suspended sentence with obligations. Obligations: 1) to allay the harm caused; 2) not to change the place of residence; 3) to appear periodically for registration at a specified institution.	6938
<b>Netherlands</b>	1) The in-patient hospital order. This measure can be imposed upon accused persons who were suffering from retarded development or mental illness when they committed the crime.	53
	2) Placement in a special institution for drug addict treatment	7
<b>Portugal</b>	Fully suspended prison sentence	7820
<b>Slovakia</b>	Protective education	6

	Type of measure	Numbers
<b>Slovenia</b>	<p>Work carried out for the benefit of humanitarian organisations or the local community.</p> <p>This sanction is ordered by the court as a replacement for a prison sentence of up to three months. The offender serves such a sentence by working for a humanitarian organization or local community. The offender thus does not have contact with a penal institution. His personal freedom is restricted only in time and as much as necessary to work for a humanitarian organization or local community as an alternative to imprisonment. Such an alternative sentence should not interfere with his employment. Centres for Social Work supervise this method of serving a sentence. These Centres participate in management, organization and supervision of work and they must inform the courts if they believe that the offender is not performing his work for a humanitarian organisation or local community. In such cases, the court orders that a prison sentence must be served.</p>	4

**Table 12 Conditional releases before completion of sentence ordered in 2001**

	Total of measures of conditional release granted in 2001	Number of finally sentenced prisoners present at 1.9.2001	Rate of measures of conditional release per 100 sentenced prisoners
Albania			
Andorra	9	14	64,3
Armenia			
Austria	1165	4609	25,3
Azerbaijan	1423	...	...
Belgium	832	5133	16,2
Bosnia and Herzegovina: Federation	[---]	...	...
Bulgaria			
Croatia			
Cyprus	***	319	...
Czech Republic	4264	15452	27,6
Denmark	1400	2291	61,1
Estonia	...	3357	...
Finland			
France			
Georgia			
Germany	17190	57137	30,1
Greece			
Hungary	...	12425	...
Iceland	100	100	100,0
Ireland			
Italy	35	29817	0,1
Latvia	734	4957	14,8
Liechtenstein			
Lithuania	1829	8486	21,6
Luxembourg	28	196	14,3
Malta			
Moldova	232	7399	3,1
Netherlands	***	5278	...
Norway	3710	1980	187,4
Poland	15977	54763	29,2
Portugal	1903	9251	20,6
Romania	25512	37743	67,6
Russia			
San Marino			
Slovakia	1700	5566	30,5
Slovenia	(467)	(733)	(63,7)
Spain			
Sweden	5235	4763	109,9
Switzerland	...	2819	...
"FYRO Macedonia"	333	1170	28,5
Turkey	...	31447	...
Ukraine			
United Kingdom:			
England and Wales			
Northern Ireland			
Scotland	340	...	...

**Notes on Table 12**

**Bosnia and Herzegovina: Federation**

See note on Table 1.

**Slovenia**

See note on Table 1.



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